

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

STEVEN JONES, )  
                    )  
Plaintiff,       )  
                    )  
v.                 )       Case No. 3:09-0287  
                    )       Judge Echols  
SOUTHERN HEALTHCARE )  
PARTNERS, *et al.*,   )  
                    )  
Defendants.       )

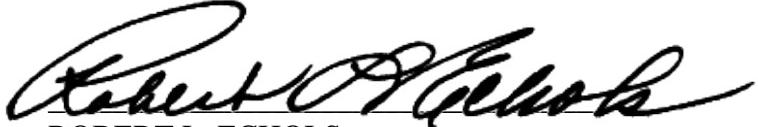
**ORDER**

This is an action under 42 U.S.C. § 1983 in which Plaintiff complains about the conditions at the Robertson County Jail. The Magistrate Judge has entered a Report and Recommendation (“R & R”) (Docket Entry No. 11) in which he recommends dismissal of this action without prejudice because Plaintiff has failed to effect service within one hundred twenty days of the filing of the Complaint as required by Rule 4(m) of the Federal Rules of Civil Procedure. Plaintiff, pro se, has filed no objection to the R & R, even though he was informed in the R & R that any objection needed to be filed within ten days of service of the R & R. (*Id.* at 2).

Where no objections are made to the R & R, “[t]he district judge may accept, reject, or modify the recommended decision, receive further evidence, or recommit the matter to the magistrate judge with instructions.” Fed.R.Civ.P. 72(b). In this case, after reviewing the entire record, the Court finds that the Magistrate Judge was correct in determining that dismissal without prejudice is warranted because Plaintiff failed to comply with Rule 4(m) and further because Plaintiff failed to respond to an August 5, 2009 Order (Docket Entry No. 9) entered by the Magistrate Judge which required Plaintiff to show good cause for his failure to serve Defendants.

Accordingly, the R & R (Docket Entry No. 11) is hereby ACCEPTED and APPROVED and this case is hereby DISMISSED WITHOUT PREJUDICE.

It is so ORDERED.



ROBERT L. ECHOLS  
UNITED STATES DISTRICT JUDGE